

RULES AND REGULATIONS

of the

CITY OF BALTIMORE,

DEPARTMENT OF RECREATION

AND PARKS

Affecting Management, Use, Government And

Preservation With Respect To All Land,

Property and Activities Under The Control Of

THE DIRECTOR OF THE DEPARTMENT OF RECREATION AND PARKS

SOURCE OF POWER

Whereas Article VII, Section 69 (f) of the Baltimore City Charter, 1994 Revision, as amended, provides as follows:

The Director of Recreation and Parks shall have the following powers and duties:

(f) To adopt and enforce rules and regulations for the management, use, government and preservation of order with respect to all land, property, and activities under the control of the Department. To carry out such regulations, fines may be imposed for breaches of the Rules and Regulations as provided by law.

Now, therefore, the Director of the Department of Recreation and Parks on this day of July 1, 1997, does make, publish and declare the following Rules and Regulations for the government and preservation of order within all areas over which the regulatory powers of the Director extend. The new rules and regulations shall be effective as of this date. All former rules and regulations previously issued, declared or printed are hereby amended and superseded.

SECTION I

A. DEFINITIONS

1. "Aggressive Solicitation" shall, pursuant to Article 19, Section 249(b) of the Baltimore City Code, as amended, mean soliciting which is accompanied by one or more of the following:

- a) approaching, speaking to, or following a person in such a manner as would cause a reasonable person to fear bodily harm or the commission of a criminal act upon the person, or upon property in the persons immediate possession;
- b) in the course of soliciting, touching another person without that persons consent;
- c) continuously soliciting from a person, or following the person, after the person has made a negative response;
- d) intentionally blocking or interfering with the safe passage of a person or a vehicle by any means, including unreasonably causing a person to take evasive action to avoid physical contact;
- e) using obscene or abusive language either during the course of soliciting or following a refusal; or
- f) acting with the intent of intimidating another person into giving money or another thing of value.

2. "Curfew" shall mean any time between 12 Midnight and 6:00 a.m., during which persons are prohibited from remaining, loitering or parking in any park.

3. "Department of Recreation and Parks" shall mean the department of the City of Baltimore which has the power and duty to manage and operate parks and recreation areas.

4. "Director" shall refer to the Director of the Department of Recreation and Parks who has such authority as provided in Article VII, Section 69 of the Charter of Baltimore City, 1994 Revision, as amended.

5. "Excreta" shall mean all matte urine, and fecal matter eliminated from the bodily system, such as sputum, urine, and fecal matter.

6. "Intoxication" shall mean a state of any person being drunk, inebriated or under the influence of alcoholic beverages or spirituous liquors, taken internally.

7. "Issuer" shall mean the Director of the Department of Recreation and Parks, or the Directors designated representative, who has authority to issue a permit for the use of a park area, defined hereafter.

8. “Owner” shall mean any person owning, operating, or having the use or control of a vehicle, animal or other personal property.

9. “Park or Parks” unless specifically limited, shall be deemed to include all parks, squares, monuments, playgrounds, athletic fields, stadia, stadia parking lots, tennis courts, golf courses, swimming pools, beaches, boardwalks, promenades, docks, piers, band shells, music pavilions, picnic areas, recreational areas and structures, museums, zoological and botanical gardens, places, circles, triangles, special or odd lots, center plots of dual highways (cultivated or uncultivated), roads, bridges, waters and land under water, and also entrances and approaches thereto, and all other land or property or structures under the jurisdiction of the Director of the Department of Recreation and Parks, now or hereafter owned or acquired by the City for park, recreation or music purposes, including all land under and space above the surface of the ground.

10. “Permit” shall mean any written authorization issued by or under the authority of the Director of the Department of Recreation and Parks for a specified park privilege, permitting the performance of a specified act or acts in any park.

11. “Person” shall mean any natural person, corporation, society, organization of persons, company, association, firm or partnership.

12. “Police Officer” shall mean any officer of the Baltimore City Police Department, Baltimore County Police Department, or Maryland State Police.

13. “Public Assembly” shall mean any exhibit, spectacle, public meeting, assembly, drill, address, demonstration, picketing, leafletting, petitioning, speechmaking, marching, holding of vigils, and all other like forms of conduct which involve the communication or expression of views or grievances, engaged in by one or more persons, the conduct or purpose of which has the effect, intent or propensity, to draw a crowd of onlookers. This term does not include casual park use.

14. “Public Event” shall mean any musical event or performance, play, festival, radio or television broadcast, parade, or ceremony whose primary purpose is to provide entertainment and enjoyment for Baltimore residents and visitors and also includes any event for which an entry fee is charged.

15. “Rules and Regulations” shall mean any rule or regulation of the Director of the Department of Recreation and Parks established pursuant to Article VII, Section 69 (f) of the Baltimore City Charter, 1994 Revision, as amended.

16. “Solicitation” shall, pursuant to Article 19, Section 249(b) of the Baltimore City Code, as amended, mean any act by which one person requests an immediate donation of money or other thing of value from another or others in person, regardless of the solicitors purpose or intended use of the money or other thing of value. The solicitation may be oral, written, or by other means of communication. Solicitation is not intended to mean sales or vending.

17. “Vending” shall mean sales of services, food, merchandise, or any other item, including but not limited to, an exchange of an item or service for tips or donations.

B. INTERPRETATION OF RULES AND REGULATIONS

For the purpose of these Rules and Regulations, certain words, terms and phrases, and their derivatives shall be construed and given the meaning specified in this section.

1. Any term in the singular shall include the plural; and the plural shall include the singular.
2. Any term in the masculine shall include the feminine and neuter; and the feminine shall include the masculine and the neuter.
3. Any requirement or provision of these Rules and Regulations relating to any act shall respectively extend to and include the causing, procuring, aiding or abetting, directly or indirectly, of such act.
4. No provisions hereof shall make unlawful any act necessarily performed by any Police Officer or employee of the Department of Recreation and Parks in line of duty or work, or by any person, his agents or employees, in the proper and necessary execution of the terms of any agreement with the Director.
5. Any act otherwise prohibited by these Rules and Regulations, provided it is not otherwise prohibited by law or local ordinance, shall be lawful if performed under, by virtue of, and strictly in compliance with the provisions of a permit and to the extent authorized thereby.
6. These Rules and Regulations are in addition to and supplement all municipal, state and federal laws, ordinances, and regulations.

C. TERRITORIAL SCOPE

All rules and regulations affecting parks shall be effective within and upon all areas under the jurisdiction of the Department of Recreation and Parks including parks in the corporate limits of Baltimore City, now or hereafter acquired and those which lie outside of -the corporate limits of Baltimore City, now or hereafter acquired by the City for park purposes, to include but not limited to Fort Smallwood in Anne Arundel County, Mt. Pleasant Park in Baltimore County, Robert E. Lee Memorial Park at Lake Roland in Baltimore County, Albert Graham Memorial Park in Baltimore County, the Pine Ridge Golf Course on Loch Raven and the Loch Raven Skeet and Trap Shooting Range in Baltimore County, and shall regulate the use thereof by all persons. However, these- Rules and Regulations shall not apply to Memorial Stadium and its surrounding parking lots.

SECTION II. PERSONAL BEHAVIOR

Rule 1. Disturbing the Peace - No person shall disturb the peace in any park by any act, nor shall any person behave in a disorderly manner.

Rule 2. Immorality and Indecency - No person shall do any obscene or, indecent act in any park, or display, expose or distribute any obscene picture, banner or other object or enter a comfort station, or toilet set apart for the use of the opposite sex; nor shall any person loiter in any comfort station or

toilet at any time; nor shall any person dress or undress in any park except in dressing rooms provided for such purposes.

Rule 3. Soliciting and Aggressive Soliciting - In accordance with Article 19, Section 249 of the Baltimore City Code, as amended, no person shall engage in aggressive solicitation in any park or on any property under the jurisdiction of the Department of Recreation and Parks. Except as otherwise provided by Article 19, Section 249(e) of the Baltimore City Code, as amended, solicitation is lawful and no permit is required. However, the prohibitions to solicitation in Article 19, Section 249(e) shall apply to all parks and all property under the jurisdiction of the Department of Recreation and Parks.

Rule 4. Intoxication - Use of Alcoholic Beverages - No person shall enter a park in an intoxicated condition; nor shall any person have in his possession, drink, use, sell, distribute, offer for sale, pass out or give away any alcoholic beverages whatsoever in any property under the jurisdiction of the Department of Recreation and Parks, except that: (1) in the case of premises or facilities leased or licensed to an organization, the use and sale of alcoholic beverages may be permitted by the Director in any portion of the premises of which exclusive use has been granted to such organization and its members or patrons; (2) in the case of premises leased to a concessionaire for restaurant purposes, the use and sale of alcoholic beverages may be permitted by the Director with the serving of meals; (3) alcoholic beverages may be used, served or sold on park property in conjunction with a permitted event if a proper permit is first obtained, except that no such permit shall be issued for the sale, use or consumption of alcoholic beverages at recreation centers operated by the Bureau of Recreation where the possession or use of alcoholic beverages is prohibited. Such permits shall be issued only if the Director first determines that said use, serving or sale will take place under controlled orderly circumstances and will not have a detrimental effect when considered in relation to the comfort, convenience, safety, welfare and order of the public in general. The Director when issuing any such permit, may prescribe reasonable rules and conditions. Furthermore, the Permittee is responsible for obtaining any necessary permits or other authorization from the Board of Liquor License Commissioners.

Notwithstanding any of the above, the Permittee shall abide by all federal, state and local laws pertaining to the use, consumption and sale of alcoholic beverages.

Rule 5. Firearms, Weapons - No person shall wear or carry into or use in any park, any handgun, dirk knife, bowie knife, switchblade knife, star knife, sandclub, metal knuckles, razor, nunchaku, or any other dangerous or deadly weapon of any kind whatsoever (penknives without switchblade excepted), concealed upon or about his person, and no person shall wear or carry any such weapon, chemical mace, pepper mace, or tear gas device openly with the intent or purpose of injuring any person in any unlawful manner. For the purpose of this section, the Department of Recreation and Parks incorporates by reference those definitions for the aforementioned items and any additional items found in Article 27, Sections 36 and 36F of the Annotated Code of Maryland, as amended.

Rule 6. Throwing Missiles - No person shall in any park, throw, cast, lay, deposit, hurl, propel or toss any stone, bottle, glass, glassware, crockery, or metal object or other substance, or any part thereof, with sharp edges or projections.

Rule 7. Sleeping - No person shall sleep or lie upon any park bench, seat, rail, balustrade, fence, step, doorway, platform or upon any other park structure.

Rule 8. Conduct - No person shall interfere with, encumber, obstruct or render dangerous any park or part thereof; any person violating the above shall be responsible and shall be liable for -the cost of removal of such interference, encumbrance, obstruction or dangerous condition of any park or part thereof.

Rule 9. Excreta - No person shall emit, eject, or cause to be deposited in any park, any excreta of the human body, except in proper receptacles designated for such purposes.

Rule 10. Entering and Leaving - No person shall enter or leave a park at points not designated as proper entrances or exits.

Rule 11. Improper Admission - No person shall gain improper admission to, or use of, or attempted admission to any park or park facility, for which a charge is made, without paying the fixed charge or price of admission.

Rule 12. Disobeying Authorities and Signs - No person shall, in any park, disobey an order of a Police Officer or any park employee acting within the scope of his employment. Nor shall any person in any park disobey, disregard or fail to comply with any rule or regulation, warning, prohibition, instruction or direction, posted or displayed by sign, notice, bulletin, card, poster, or when notified or informed as to its existence by a Police Officer or other authorized person.

SECTION III. BEHAVIOR TOWARD OTHERS

Rule 13. Annoying and Following - No person shall annoy, follow, or accost any other person in any park.

Rule 14. Immoral Soliciting - No person shall approach or solicit, for immoral or indecent purposes, any other person or persons in any park.

Rule 15. Snooping and Molesting - No person shall snoop, crawl, peep, creep up on, or molest, any person or persons within parked vehicles or anywhere else in any park.

Rule 16. Aiding or Abetting - No person shall do, aid, abet, or assist in doing any act injurious to any person, animal or property within any park.

Rule 17. Assault and Fights - No person shall engage in, instigate or encourage a contention or fight or in any way disturb the peace of others, or their organized or unorganized activity, or in any way endanger their life, person, property, health or safety, by words, actions or attempts, made directly or by aiding or abetting others to do so, in any park.

Rule 1 S. Gambling - No person, whether spectator or contestant, shall gamble, bet, take bets, wager, participate or conduct lotteries, games of chance, betting, or use any machine or instrument or other gambling device, in any park or recreation center, or bring into any park or recreation center such

games or devices except by permit issued by the Director. All conditions imposed in the permit shall be complied with by the permittee or the permit shall be automatically revoked. Permittee shall comply with all city, state, and federal laws, ordinances and regulations which concern gambling.

Rule 19. Vending - No vending shall be permitted on any property under the jurisdiction of the Department of Recreation and Parks except in conjunction with a permitted activity sponsored by a non-profit organization or entity.

Rule 20. Advertising - No person shall advertise in any park in any manner whatsoever, except by permit, to include but not limited to:

- a. Distributing, posting, or displaying any flag, banner, sign or any other matter.
- b. Displaying by means of aircraft, kite, balloon, aerial bomb, loud speaker truck or vehicle, or any other matter for advertising purposes above the surface or on the grounds of any park.
- c. Playing of any band, musical instrument or drum or causing any noise or other attraction for advertising purposes.
- d. Having signs on motor vehicles of such size, color and design as to evidence intent on the part of the owner or operator to advertise, except taxicabs and public transportation buses using normal transportation routes through the parks.

SECTION IV. TREATMENT AND USE OF PARK PROPERTY

Rule 21. Roads and Paths - No person shall injure, deface, displace, remove fill in, raise, destroy, tamper with any drive, road, path, walk, promenade, boardwalk, bridle trail, bridge or approach thereto, take up, remove or carry away any asphalt curb, flagstone, rock, stone, gravel, sand, clay, earth or any construction material, or make any excavation of any kind in any park.

Rule 22. Structures - no person shall climb, cut, injure, mutilate, deface, displace, remove or destroy any wall, fence, shelter, seat, statue, balustrade, monument or other structure, building, post, railing, bench, seat-platform, stand or tree guard, in any park.

Rule 23. Public Utilities - No person shall, in any park, climb, cut, injure, mutilate, deface, extinguish, interfere with, displace, remove or destroy any telephone or telecommunication wire, pipe or main for conducting gas or water, or any hydrant, sewer, drain, receiving basin, covering, manhole or vent forming a part thereof, or any appurtenance or appendage conforming therewith, or any lamp, lamppost, or electric light apparatus, or light.

Rule 24. Signs and Signals - No person shall injure, deface, displace, remove or destroy any sign, notice, inscription, post, or surveyors monument, erected or marked for any purpose, or any milestone, danger sign or signal, guide post or sign, or any signaling device, for traffic or otherwise.

Rule 25. Plants, Shrubs, Trees, Flowers -

- a. No person shall, in any park, cut, destroy, break, prune off, deface, set fire to, mutilate, injure, disturb, sever from the ground, or remove any growing thing, including but not limited to any plant, flower, flower bed, shrub, tree, growth, grass, or any branch, stem, fruit or leaf thereof.
- b. No person shall in any park attach any rope, cable or other contrivance to any growing thing, or set fire to any timber, tree, shrubs, plants, flowers, grass or plant growth, or suffer any fire upon other land to extend into park lands, unless authorized in writing by the Director. Picnic fires and grills shall be allowed only in designated areas or by permit. Ground fires are prohibited.
- c. No person shall tie, leave, or allow any animal to injure any tree, shrub, lawn or grass plot, or go upon any lawn, grass plot or planted area in any park.
- d. No person shall have in his possession in any park any tree, shrub or other plant or any branch, stem, flower, fruit or leaf thereof if such articles were taken from the park.
- e. No person shall plant any growing thing in any park, unless authorized in writing by the Director.

Rule 26. Special Grounds and Structures - No person shall, in any park, destroy, injure, deface, set fire to, displace, remove, break, mutilate, disturb the grounds, equipment and structures of any park property, to include but not limited to, playgrounds, golf courses, ball fields, athletic fields, stadia, tennis courts, picnic groves, zoos, museums, aquaria, field houses, pavilions, live animal housing, outdoor centers, swimming pools, bathing beaches, or any other area set aside for games, recreation, amusement and exhibitions.

Rule 27. Attachments and Projections - No person shall attach, string, adjust or suspend wires or similar objects in any park; nor shall any person erect, construct or maintain projections on, over or under any park, unless permitted by the Director. No person shall install, erect or construct any sign, building, structure or other physical utility or facility in any park, unless otherwise permitted in writing by the Director. The Director may order the removal or other disposal of any attachment or projection hereinabove described for which no permit is granted, or which violates the terms or conditions of any other permit, license or agreement.

Rule 28. Pollution of Waters - No person shall throw, cast, lay, drop or discharge into or leave in any body of water in any park, or in any swimming pool, or in any storm sewer, or drain flowing into said waters, or in any gutter, sewer or basin, any substance, matter or thing, whatsoever, which may or shall result in the pollution of said waters, thereby endangering the health, life and safety of the public or aquatic life using such waters.

Rule 29. Feeding Animals - No person shall give food or any other matter, substance or thing to any animals inhabiting any park.

Rule 30. Treatment of Animals - No person shall, within any park, molest, annoy, frighten, injure, kill, wound, trap, hunt, take, steal, chase, shoot, throw missiles at, remove or have in his possession

any living creature found in said park, including all birds and other wild life found in any park whether said creature is the property of the Department of Recreation and Parks or a loan specimen or of other ownership, or a creature making its natural habitat in said park, including any creatures on exhibit or in transit, or have in his possession any feral animal, reptile, bird, bird part, birds nest or squirrels nest, or remove the young of any such animal or the eggs or young of any such animal, reptile or bird; or knowingly buy, receive, have in his possession, steal or give away any such animal, reptile, bird or egg so killed or taken.

Rule 31. Animals in Parks - No person owning or being custodian or having control of any animal whatsoever shall cause or permit same to go at large in any park; nor shall he bring and deposit or abandon such animal in any park areas. A dog may be brought into a park providing that such dog is continuously restrained by a leash not exceeding 6 feet in length, except that no dog shall be permitted in areas designated by signs as prohibited areas. Any animal so found at large or in prohibited areas may be seized and impounded or disposed of pursuant to the laws of Maryland and Baltimore City.

Rule 32. Animal Drinking - No dog or other animal shall be permitted to drink out of fountains, faucets or hydrants reserved, designed and designated for persons.

Rule 33. Horses - No person shall ride or lead a horse into or upon lawns or other areas of any park.

Rule 34. Trash Disposal and Dumping - No person shall take into, carry through, leave in, or throw, cast, lay, drop, dump or discharge into or on, or suffer or permit any representative, agent, employee, person or animal in his or her charge to take into, carry through, leave in, throw, cast, lay, drop, dump or discharge into or on any park, any rubbish or garbage of any sort, including but not limited to ashes, dross, cinders, shells, fruit, fruit skins, vegetable foodstuff, paper, pasteboard, dirt, sand, oil, grease, clay, loam, stone or building rubbish, construction material, hay, straw, oats, sawdust, shavings or manufacturing, trade or household waste, vehicles or parts thereof as junk, old iron or other metal or objects made therefrom; or sick, diseased or dead animals, organic refuse or other offensive matter.

Rule 35. Newspapers - Any person placing or using a newspaper or any other paper or material to sit upon or lie upon, or for any other use, in any park, shall upon completion of such use, remove same from the park or place same in a receptacle designated for such purposes.

Rule 36. Responsibility for Treatment and Use of Park Property - Any person who injures in any manner whatsoever, including but not limited to, defacement, displacement, removal, destruction, mutilation, extinguishment, interference, or disturbance, any park property, including but not limited to roads, paths, structures, public utilities, signs, signals, plants, shrubs, trees, flowers, or special grounds and structures, shall be responsible for such injury or damage and liable for the cost to have the park or any of the property within the park restored to its original condition.

Rule 37. Metal Detectors - Metal Detectors may only be used in parks with a permit issued by the Director.

Rule 38. Fishing, Crabbing, Bathing, Camping, etc. - No person shall fish, crab, bathe, swim, wade, camp, coast with sleds, ice skate, roller skate, build fires, play games in any park except in areas set aside and designated by the Director, or in or on waters under the jurisdiction of the Department of Recreation and Parks, except by permit.

Rule 39. Curfew - Except in the Inner Harbor Park and the Harbors Public Pedestrian Promenade, no person or vehicle shall remain in any park between 12 Midnight and 6:00 A.M., unless by permit or otherwise authorized by Director. This rule shall not prohibit persons or vehicles from passing through any park during the time limit herein provided.

Rule 40. Baltimore Zoo - No person shall enter or remain in any area of the Baltimore Zoo which is enclosed by the perimeter protective fence between the time of one hour after sunset or one hour after ticket sales are discontinued at the entrance gates of the Zoo, whichever is later, and the resumption of ticket sales at said entrance gates on -the following day.

Rule 41. Boating - No boats shall be operated or docked by any person in any water in any park except by permit or as otherwise regulated for a specific body of water.

Rule 42. Toy Aviation - Model Airplanes, etc. - No person shall engage in model airplane flying, toy aviation, model boating or model automobiling, except at places designated or maintained therefore.

Rule 43. Aircraft - No person shall voluntarily, except by permit, bring, land or cause to descend or alight within or upon any park, or operate, fly or cruise over any park, any airplane, helicopter, flying machine, balloon, parachute or other apparatus for aviation. The term voluntarily shall mean anything other than a forced landing.

Rule 44. Games in Designated Areas - No person shall throw, cast, catch, kick, play with or strike any gameball whatsoever or engage in any sport, game, or competition except in places designated or maintained therefore. Nor shall a person engage in or play a game or other sport or contest of a nature different from the one for which the designated area was created, except in such areas as are officially set aside for diversified games.

SECTION V. TRAFFIC CONTROL

Rule 45. Maryland Motor Vehicle Laws - The Motor Vehicle and Traffic Laws of the State of Maryland as codified in the Transportation Article of the Annotated Code of Maryland, all applicable Administrative Orders of the Bureau of Transportation of the City of Baltimore, and all applicable ordinances of the Mayor and City Council of Baltimore, are hereby established as rules and regulations of the Department of Recreation and Parks, and shall be in effect in all parks with like effect as though set forth herein in full, and the traffic rules and regulations set forth herein are in addition to and supplement the provisions of this rule.

Rule 46. Traffic Summons - The Director of the Department of Recreation and Parks authorizes, in any park, the issuance of traffic tickets, by Police Officers and special traffic enforcement officers to persons violating the Motor Vehicle and Traffic Laws of the State of Maryland as codified in the Transportation Article of the Annotated Code of Maryland, all applicable Administrative Orders of

the Bureau of Transportation of the City of Baltimore, all applicable ordinances of the Mayor and City Council of Baltimore, and all applicable traffic rules and regulations of the Department of Recreation and Parks, now in effect or hereafter modified or amended.

Rule 47. Speed Limits - No person operating, driving or propelling any vehicle shall proceed at a speed greater than 25 miles per hour in any park, except where otherwise designated by an applicable Administrative Order of the Bureau of Transportation of the City of Baltimore and as otherwise designated by applicable ordinances of the Mayor and City Council of Baltimore, and except that no person shall operate, drive or propel any vehicle on any parking lot under the jurisdiction of the Department of Recreation and Parks at a speed greater than 15 miles per hour.

Rule 48. (a) Vehicles Allowed - The use of parks is restricted and limited to automobiles classed as pleasure vehicles, to include station wagons, vans, motorcycles, bicycles and recreational and passenger vehicles (limited to 9-person capacity only) and school buses. Vehicles adapted for more than 9-person capacity shall operate in any park only by permit. Vehicles constructed or adapted for or engaged in the carrying of merchandise or the hauling of equipment and appliances, such as trucks and trailers, but not limited thereto, are prohibited from using any park, except when necessary to make deliveries in such parks, or where necessary because of fire, accident, impending danger, public disaster or other emergency or work authorized by the Department of Recreation and Parks.

(b) Bicycle and Motor Vehicle Riding - The riding of bicycles and motor vehicles including mini-bikes, motorcycles, dirt bikes, all terrain vehicles, motor scooters or other engine propelled vehicles shall be prohibited on pedestrian walks and paths in all parks, on lawns in any park, on such vehicular roads so designated and on any other park area so designated or so posted as prohibited.

Rule 49. Vehicle Operators - No person shall operate a motor vehicle in any park with a learners license. No person, who may not lawfully operate a vehicle within the State of Maryland, shall drive or operate a vehicle within any park. Students who are enrolled in a driver education course may operate a vehicle only in specifically designated locations under the jurisdiction of the Department of Recreation and Parks.

Rule 50. Towing - No person shall cause or permit a vehicle to be towed by another vehicle, in any park except in case of breakdown or other emergency which originated on park property.

Rule 51. (a) Repairs to Vehicles - No person shall in any park grease, lubricate, or make repairs to any vehicle except those of minor nature, and then only in case of emergency.

(b) Parking of Cars - No person shall run over or park an automobile or other motor vehicle partially or totally on lawn areas of any park unless otherwise permitted by designated signs; nor shall any person park an automobile or other motor vehicle on park roads posted as prohibited areas.

SECTION VI. PERMIT REQUIREMENTS

Rule 52. REQUIREMENT OF PERMIT - A person, organization or other entity desiring to hold a public event, picnic, private gathering, or public assembly shall first obtain a permit from the

Department of Recreation and Parks, Permits Section. Excluded from this permit section are the permits required for the use of an athletic field, recreation center or playground. A person, organization or entity desiring to use a recreation center or playground must first obtain a permit from the Recreation Center Director in charge of those areas. Permits for the use of Athletic fields are issued by the Division of Youth and Adult Sports.

Rule 53. PICNICS AND PRIVATE GATHERINGS - Any group which seeks to reserve a specific area for picnics, outings or private gatherings or to bring a grill into a park must obtain a permit. Permitted activities shall have priority for the use of specific areas.

Rule 54. PERMITS -

A. An application for a permit must be submitted to the Director or designee at least sixty (60) days prior to the proposed public event, at least thirty (30) days prior to the proposed picnic or private gathering, and at least three (3) days prior to the proposed public assembly. The application for a permit must contain the following information:

- 1 . The name, address and day and evening phone number of the person or organization or other entity seeking the permit.
2. The name, address and day and evening phone number of the person who will be responsible for conducting the public event, picnic, private gathering, or public assembly.
3. The nature or subject matter of the public event, picnic, private gathering, or public assembly. The Director reserves the right to request additional information if necessary.
4. The date or dates, and hours during which the public event, picnic, private gathering, or public assembly is proposed to be held, including set up and disassembly time.
5. The number of persons who will be engaged in such activities.
6. Location to be used.
7. The equipment and structures to be used during the activity.
8. Information about any fees to be charged for the activity.

B. Permit applications will be processed in order of receipt. Fully executed permit applications are subject to the terms and conditions stated on the Permit and in these Rules and Regulations. No permit will be granted for a public assembly, picnic, private gathering, or public event which will occur on more than 5 days, consecutive or not. A new permit application shall be filed for each new public event, picnic, private gathering, or public assembly.

Notwithstanding the foregoing, the Director shall at his/her discretion, in the event of conflict, be entitled to give priority to a city sponsored event.

C. Permitted activities will be allowed only between the hours of 8:00 A.M. and 1 1:00 P.M.

D. A permit will be issued unless the Issuer specifically finds that the proposed activity:

- 1 . unduly interferes or conflicts with a previously issued permit;
2. unduly impedes vehicular or pedestrian traffic;
3. unduly impedes scheduled recreational activities;
4. unduly impedes the operation and functioning of adjacent commercial activities;
5. is of such a nature or duration that it cannot reasonably be accommodated in the particular area requested in the permit application; or
6. violates any law, ordinance or regulation of federal, state or city government, including these Rules and Regulations.,

Notwithstanding a finding under Rule 54D.1-5, the Issuer shall propose alternate sites and/or times, if available. The Issuer will endeavor to accommodate as many persons or groups as possible.

E. A permit may be revoked by the Director or a Police Officer for any of the following reasons:

1. Violation of the terms or conditions of the permit.
2. The activities or conduct of the permit holder present a clear and present danger to the public health, welfare and safety.
3. The number of persons engaged in the permitted activity exceeds the number stated on the permit.
4. The permit holder has failed to limit the permitted activity to the area designated on the permit.
5. The activities of the permit holder constitute a violation of any applicable law or regulation.

F. A permit application for public assembly will be reviewed within 3 work days of its submission.

G. In granting a permit for a public assembly, the Issuer will exercise no discretion over the issuance of a permit hereunder, except as provided for in these Rules. Nothing in these Rules will be construed to interfere with the right of public assembly except as constitutionally permitted.

H. In the event a permit for a public assembly is denied, the Issuer shall notify the applicant in writing immediately of the reasons for that determination.

I. The Director in his/her reasonable judgment may waive any provision of these Rules when appropriate.

J. Emergency Request - The Director may waive the 3-day time period requirement contained in Rule 54A for a public assembly where the failure to file the application in a timely fashion is related to an event or situation which will occur within the next 3 days, provided that the application conforms with all the other requirements of these Rules.

Rule 55. APPEALS PROCESS FOR A PUBLIC ASSEMBLY -

A. In the event a permit application for public assembly is denied after pursuing alternate sites and/or times in accordance with Rule 54D@, the Issuer will, within 3 days thereafter, file with the Circuit Court of Baltimore City an action requesting a judicial determination as to whether denial of the permit application was valid and proper. Notice of the filing of the action with the Court will be immediately sent by first class mail, postage prepaid, to the address of the person or organization on the permit application.

B. If a judicial determination is not rendered by the Court within 10 days from the date of denial of the permit, then an interim permit shall be deemed issued under this rule to the applicant by operation of law, and all activities proposed to be carried on in the application for the original permit may be carried on as if a permit had been duly issued by the Issuer, subject to the same restrictions and obligation imposed under these Rules as applied to other permitted activities. The interim permit will continue in effect until either a judicial determination is made, or the expiration date on the original application, whichever occurs first.

C. In the event the decree or order of the Court affirms the action of the Issuer denying the permit, the Director of the Department of Recreation and Parks shall cooperate with any motion or expedited appeal brought by the person seeking the permit, in accordance with the Maryland Rules of Procedure.

Rule 56. GENERAL CONDITIONS FOR PERMITTED ACTIVITIES -

A. The individuals, organization(s), or group(s) sponsoring the public event, . picnic, private gathering, or public assembly must undertake in good faith to ensure good order and self-discipline in carrying on the permitted activity.

B. In connection with permitted activities, temporary structures (including, but not limited to, speakers, stands, platforms, lecterns, chairs, portable sanitary facilities and press and news facilities) furnished by the permit holder and reasonably necessary for the conduct of the permitted activity may be authorized in the permit, provided prior notice has been given to the Director in the permit application.

1. In the interest of protecting the park areas involved, the Director may impose reasonable restrictions upon the temporary structures permitted, including restrictions involving traffic and public safety considerations, and other legitimate park value concerns.

2. All temporary structures erected by the permit holder must be done in a manner so as to cause the least possible damage to park property and basic park values and must be removed by the permit

holder as soon as practicable after the conclusion of the permitted activity, but within the times and dates specified in the permit. The permit holder is responsible for any and all costs for damages to park property which results from the use of a temporary structure.

3. The permit holder is responsible for any and all damage to park property which may result from the permitted activity.

C. Sound amplification equipment reasonably necessary for the conduct of the permitted activity may be permitted, provided prior notice has been given to the Director in the application. Except as provided by law, the Director reserves the right to prohibit or limit the use of sound amplification equipment, so that it will not disturb nonparticipating persons by loud or raucous noise levels created in, or in the vicinity of, the park area.

D. No activity shall be held within 10 feet of the means of ingress or egress to any building or access road.

E. In the case of a public event, the Director reserves the right to require that the permit applicant provide proof of adequate insurance coverage prior to the occurrence of the permitted activity and an appropriate refundable security deposit for property damage.

SECTION VII. PENALTIES

Except as otherwise provided by law, any violation of these Rules or Regulations of the Department of Recreation and Parks as herein provided, shall be triable in the District Court of Maryland for Baltimore City, and shall be punishable by a fine not exceeding \$200.00, in any one case.